

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

BACKWARD CLASSES WELFARE DEPARTMENT – Providing 4% Reservation to Socially and Educationally Backward Classes of Muslims in the State of A.P. – Quashed by High Court of A.P. in its judgment dated 8.2.2010 in W.P.No.15267/2007 and batch cases – S.L.P. filed in Supreme Court of India against the judgment – Engaging the services of Sri Mihir Chatterjee, Advocate, Office of Attorney General for India, Supreme Court of India, New Delhi, to assist the Attorney General in the SLP - Terms and Conditions - Accepted - Orders - Issued.

BACKWARD CLASSES WELFARE (C2) DEPARTMENT

G.O.Rt.No. 165 .

Dated:14-5-2010.

Read the following:

1. G.O.Ms.No.23, Backward Classes Welfare(C2) Department, dated 7-7-2007.
2. Act 26 of 2007, dated 13-8-2007
3. Judgment dated 08.02.2010 of High Court of A.P. in W.P.No.15267/2007, filed by Sri T.Muralidhar Rao & Batch Cases.
4. G.O.Rt.No.92, B.C.Welfare (C2) Deptt., dt.19-3-2010.
5. From Sri G.E.Vahanvathi, Attorney General of India, New Delhi, Letter dated 12.4.2010.
6. From Sri Mihir Chatterjee, Advocate, O/o. the Attorney General for India, Supreme Court of India letter dated 12.4.2010.

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ORDER :

In the G.O. 1st read above, orders were issued providing 4% reservation to Socially and Educationally Backward Classes of Muslims in the State in admissions into Educational Institutions and Public Employment , Act No.26/2007 was also enacted on 13.8.2007.

2. Aggrieved by the orders issued in G.O.Ms.No,23, Backward Classes Welfare(C2) Department, dated 7.7.2007, 10 Writ Petitions were filed challenging the 4% reservation provided to Socially and Educationally Backward Classes of Muslims in the State. In the reference 3rd read above, the Hon'ble High Court of A.P. has allowed the W.Ps. and quashed the orders issued in G.O.Ms.No.23, Backward Classes Welfare(C2) Department, dated 7.7.2007 and the Act No.26/2007, dated 13.8.2007.

3. Government of Andhra Pradesh have decided to file SLP in the Supreme Court of India, against the judgment of HC of A.P. to protect the interest of the beneficiaries and accordingly, Government have filed SLP on 26.2.2010 against the judgment dated 8.2.2010 of High Court of A.P.

4. In the reference 4th read above, Sri G.E.Vahanvathi, Attorney General for India, New Delhi has been engaged to defend the Government of A.P. in the SLP filed before the Supreme Court.

5. In the reference 5th read above, Sri G.E.Vahanvati, Attorney General for India has informed that he has been taking the assistance of Sri Mihir Chatterjee, Advocate, Office of the Attorney General, in the SLP filed before the Supreme Court against the judgment of the Hon'ble High Court of A.P. in W.P.No.15267 of 2007 batch cases, and that he needs the assistance of Sri Mihir Chatterjee, Advocate, until the disposal of the Civil Appeal in the Supreme Court. Sri G.E.Vahanvati has requested the Government to pay the due fees to Sri Mihir Chatterjee for his work.

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6. In the reference 6th read above, Sri Mihir Chatterjee, Advocate, Office of the Attorney General has furnished the terms and conditions for assisting the Learned Attorney General for India, stating that his fee per day for appearance before the Supreme Court is Rs.25,000/-.

7. Government after careful examination of the matter, hereby accept the terms and conditions offered by Sri Mihir Chatterjee, Advocate, Office of the Attorney General of India, New Delhi, to assist the Attorney General for India, in the SLP filed before the Supreme Court of India against the judgment of the Hon'ble High Court of A.P. in W.P.No.15267/2007 of Muslim Reservation Case, until the disposal of the Civil Appeal in the Supreme Court, with a fee of Rs.25,000/- per day for appearance.

8. This order issues with the concurrence of Principal Secretary(Finance) vide Ref.No.6921/PFS/10, dated: 5-5-2010.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**Dr. A.VIDYA SAGAR,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri G.E.Vahanvati, Attorney General for India, New Delhi.

Sri P.S.Krishnan, IAS., (Retd) Advisor to Government,
Backward Classes Welfare Department.

Sri A.Subba Rao, Advocate, SC of India, New Delhi.

Sri Mihir Chatterjee, Advocate, Office of the Attorney General of India, New Delhi

The Director, Backward Classes Welfare, Hyderabad.

The Member Secretary, A.P.Commission for B.Cs. Hyderabad.

Copy to:

The Pay and Accounts Officer, Hyderabad.

The Deputy Pay and Accounts Officer, Secretariat Branch, Hyderabad

The Director of Treasuries and Accounts, AP, Hyderabad

The Finance (BG.IV)/(Exp.SW)/Department.

The Vice-Chairman and Managing Director,

A.P.Backward Classes Cooperative Finance Corporation Limited.

The PS to Prl. Secretary to Government, B.C.Welfare Department.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.